



U. S. FISH & WILDLIFE SERVICE

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U.S. Fish and Wildlife Service provides emergency protection for manatees in five areas of Lee County, Florida

The U.S. Fish and Wildlife Service announced today that it would provide emergency coverage of the Florida manatee in Lee County for 120 days.

The coverage begins on Dec. 6, 2004, where the previous emergency rule terminates on Dec. 6. The designation is necessary to provide protection to the manatee in the area of five former state manatee speed zones in Lee County, Fla. This coverage will remain in effect until April 3, 2005.

“This designation was necessary to ensure against lapses in protection for the manatee in Lee County while we continue crafting the proposed rule to make this refuge permanent,” explained Jay Slack, field supervisor of the South Florida Ecological Services Office in Vero Beach, FL.

The areas affected by this emergency designation are in Matlacha Pass, Estero Bay, southwest side of Pine Island, eastern San Carlos Bay and the mouth of the Caloosahatchee River. The Service made the decision to provide emergency protection for manatees in these areas after carefully assessing the impacts of state court decisions that ruled these former speed zones invalid. Also considered were the effects of three hurricanes that occurred in the region during August-October and the implications of allowing the second emergency rule to expire before the final rule is approved.

“There is no doubt the emergency protection is needed to protect the manatee,” said Slack. “It is necessary because of the recent state court decisions and it is necessary because the manatees are in danger.” Four manatees have died from watercraft-inflicted wounds since February in the areas affected by the court’s ruling, and three more dead manatees have been found in close proximity to these areas. It is imperative we do everything we can to protect them.”

Under the Endangered Species Act and the Marine Mammal Protection Act, the Service can designate emergency protection measures when it determines there is imminent danger of a “taking” of one or more manatees, and that such establishment is necessary to prevent the “taking.” The term “take” means harassment, harm, death or injury of a listed species, along with a variety of other harmful actions.

The emergency designation of this Federal manatee protection area is effective immediately.

The Federal protection area corresponds exactly to the previous state speed zones. The Federal restrictions now in place in each area are also the same as the previous state restrictions: They require watercraft to proceed at slow speed outside designated channels and at less than 25 miles per hour in the designated channels. However, there are no provisions under Federal law to allow exemptions to the federally designated manatee protection areas. Thus, businesses and individuals who previously held state exemption permits should be aware that those permits are no longer valid.

This Federal manatee refuge will not eliminate access rights for owners of waterway properties. Public and private property owners may continue to access property that lies within a designated manatee refuge. They may conduct any authorized boating activity by operating watercraft at slow speed according to posted limits in designated refuge areas.

Additional information on this action, including maps of the designated areas, is available on the South Florida Ecological Service’s web site at verobeach.fws.gov.

The mission of the U.S. Fish and Wildlife Service is, working with others, to conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people. The South Florida Ecological Field Office is a unit of the Southeast Region of the U.S. Fish and Wildlife Service, based in Atlanta.

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The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 544 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

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